



Docket Information
2024750-7015282001

**DECLARATION
Utility Application**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **ACOUSTICALLY POWERED IMPLANTABLE STIMULATING DEVICE** the specification of which

(Check One)

☐

is attached hereto OR

☒

was filed on July 31, 2003 as United States Application Serial No. or PCT International Application No. 10/632,265 and was amended on ____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Date of Filing	Priority Claimed	
			Yes	No

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below.

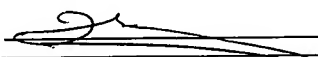
Application Number(s)	Filing Date

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application Number	PCT Parent Number	Parent Filing Date	Status-Patented, Pending or Abandoned
09/989,912		November 19, 2001	Pending
09/690,615		October 16, 2000	Patented
09/888,272		June 21, 2001	Pending
09/690,615		October 16, 2000	Patented

10/413,428		April 14, 2003	Pending
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I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

201	FULL NAME OF INVENTOR	FIRST Name Avi	MIDDLE Initial	LAST Name Penner	
	RESIDENCE & CITIZENSHIP	City Tel Aviv	State or Foreign Country Israel	Country of Citizenship Israel	
	POST OFFICE ADDRESS	1/13 Boyer Street	City Tel Aviv	State or Country Israel	Zip Code 69127
INVENTOR'S SIGNATURE 			DATE <u>2 May 2004</u>		

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Avi Penner

Serial No.: 10/632,265

Filed: July 31, 2003

**For: ACOUSTICALLY POWERED
IMPLANTABLE STIMULATING
DEVICE**

Group Art Unit: Not Yet Assigned

Confirmation No.: 5488

Examiner: Not Yet Assigned

**PROSECUTION BY ASSIGNEE AND POWER OF ATTORNEY
UNDER 37 C.F.R. § 3.71**

Commissioner for Patents
Alexandria, VA 22313-1450

Sir:

Remon Medical Technologies Ltd, an **Israeli** Corporation, the assignee of the entire right, title and interest in this patent application, under 37 C.F.R. § 3.71 hereby appoints all attorneys associated with:

Customer Number

23639

PATENT TRADEMARK OFFICE

with full powers of substitution and revocation, to prosecute this application and transact all matters in the United States Patent and Trademark Office, and in countries other than the United States, and to do all things necessary or appropriate therefore before any competent International Authorities in connection with any international patent application(s) corresponding to the above-identified application, said appointment to be to the exclusion of the inventors and their attorneys in accordance with the provisions of 37 C.F.R. § 3.71.

Please direct all written communications relative to this application to:

David T. Burse
Bingham McCutchen LLP
Three Embarcadero Center, Suite 1800
San Francisco, CA 94111-4067

Please direct all telephone communications to David T. Burse at (650) 849-4400

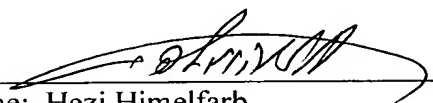
I, the undersigned, declare that I have reviewed copies of the documentary evidence establishing chain of title to the patent application identified above from the inventor(s) to the assignee(s), which:

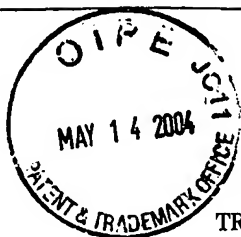
- ☐ is filed for recordation herewith; or
☐ was recorded at Reel _____, Frame _____; or
☒ has been sent for recordation under separate cover, copy attached herewith.

To the best of the undersigned's knowledge and belief, title is in the assignee(s) identified above. Furthermore, the undersigned is empowered to sign this document on behalf of the assignee(s).

Remon Medical Technologies, Ltd

Dated: 5/2/04

By: 
Name: Hezi Himelfarb
Title: Chief Executive Officer
Address: 7 Halamish Street,
Caesarea Industrial Park
Caesarea, Israel 38900



 *** TX REPORT ***

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TX/RX NO 4565
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BINGHAM McCUTCHEN

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Facsimile

DATE May 12, 2004

Bingham McCutchen LLP
 1900 University Avenue
 East Palo Alto, CA
 94303-2223

650.849.4400
 650.849.4800 fax

bingham.com

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	NAME	FAX	PHONE
TO	ASSIGNMENT UNIT US Patent and Trademark Office	(703) 306-5995	(703) 308-9723

FROM Maritza D. Kidd (650) 849-4800 (650) 849-4481
 maritza.kidd@bingham.com

PAGES (INCLUDING THIS COVER PAGE): 5


RE Assignment for US Appl S/N: 10/632,265

Message:

Re: US Application Serial No. 10/632,265
 Filed: July 31, 2003

I hereby certify that an Assignment (2 pages); Recordation Cover Sheet Form PTO-1595 (1 page) and an assignment transmittal with certificate of facsimile transmission (1 page) are being facsimile transmitted to the United States Patent and Trademark Office on the date shown above.

Assignment recordation is respectfully requested. Please forward the assignment reel/frame number via fax to the undersigned at the fax No. (650) 849-4800.


 Maritza Kidd



BINGHAM McCUTCHEN

Facsimile

DATE May 12, 2004

Bingham McCutchen LLP
1900 University Avenue
East Palo Alto, CA
94303-2223

650.849.4400
650.849.4800 fax

bingham.com

Boston
Hartford
London
Los Angeles
New York
Orange County
San Francisco
Silicon Valley
Tokyo
Walnut Creek
Washington

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Maritza Kidd

For transmission problems, please call (650) 849-4825

The information in this transmittal (including attachments, if any) is privileged and confidential and is intended only for the recipient(s) listed above. If you are neither the intended recipient(s) nor a person responsible for the delivery of this transmittal to the intended recipient(s), you are hereby notified that any unauthorized reading, distribution, copying or disclosure of this transmittal is prohibited. If you have received this transmittal in error, please notify us immediately at (same telephone number as in first paragraph - will duplicate) and return the transmittal to the sender. Thank you.

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Docket No. 2024750-7015284001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Avi Penner

Serial No.: 10/632,265

Filed: July 31, 2003

For: ACOUSTICALLY POWERED
IMPLANTABLE STIMULATING DEVICE

Art Unit: Not-yet- assigned

Confirmation No.: 5488

Examiner: Not-yet-assigned

COPY

ASSIGNMENT TRANSMITTAL

Commissioner for Patents
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an executed Assignment (2 pages) and Recordation Cover Sheet Form PTO-1595 (1 page) for the above-identified application.

Assignment recordation is respectfully requested. Please forward the assignment reel/frame number via fax to the undersigned at the fax No. (650) 849-4800.

Respectfully submitted,

BINGHAM McCUTCHEN LLP

Dated: 5-12-04

By: David T. Burse

David T. Burse
Reg. No. 37,104

BINGHAM McCUTCHEN LLP
Three Embarcadero, Suite 1800
San Francisco, CA 94111-4067
(650) 849-4400

CERTIFICATE OF FACSIMILE TRANSMISSION
(37 C.F.R. §1.6 (d))

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being transmitted via fax on the date shown below to U.S. Patent and Trademark's fax number (703) 306.5995 addressed to the Commissioner for Patents, Alexandria, VA 22313-1450

May 12, 2004
Date of facsimile transmission
PA:52133814.1/2024750-7015284001

Maritza Kidd
Name of Person transmitting Paper

Maritza Kidd
Signature of Person transmitting Paper

MAY 14 2004

**RECORDATION FORM COVER SHEET
PATENTS ONLY**

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

Docket No. 2024750-7015284001

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

1. Name of conveying party(ies): Avi Penner Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		2. Name and address of receiving party: Name: <u>Remon Medical Technologies Ltd</u> Internal Address: <u>Halamish Street, Industrial Park</u> City: <u>Caesarea</u> State: <u>Israel</u> Zip: <u>38900</u> Street Address: <u>Halamish Street, Industrial Park</u> City: <u>Caesarea</u> State: <u>Israel</u> Zip: <u>38900</u> Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____ Execution Date: <u>May 2, 2004</u>			
4. Application number(s) or patent number(s): If this document is being filed together with a new application, the execution date of the application is: _____ A. Patent Application No(s): <u>10/632,265</u> B. Patent No(s): _____ Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
5. Name and address of party to whom correspondence concerning document should be mailed: Name: <u>David T. Burse</u> Internal Address: <u>BINGHAM McCUTCHEN LLP</u> <u>Three Embarcadero, Ste 800</u> <u>San Francisco, CA 94111-4067</u>		6. Total number of applications and patents involved: _____ 7. Total fee (37 CFR 3.41): \$ <u>40.00</u> <input checked="" type="checkbox"/> Paid with this authorization to charge the above fee <input checked="" type="checkbox"/> Charge this Deposit Account if any additional fee is required 8. Deposit Account Number: <u>502518</u> Bingham McCutchen	

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9. Statement and signature:
To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.
David T. Burse Date: 5-12-04
David T. Burse, Reg No. 37,104
Total number of pages including cover sheet: 3

OMB No. 0651-0011 (exp. 4/94)

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Public burden reporting for this sample cover sheet is estimated to average about 30 minutes per document to be recorded, including time for reviewing the document and gathering the data needed, and completing and reviewing the sample cover sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Office of Information Systems, PK2-1000C, Alexandria, VA 22313, and to the Office of Management and Budget, Paperwork Reduction Project, (0651-0011), Alexandria, VA 22313

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ASSIGNMENT OF PATENT APPLICATION

WHEREAS, I, AVI PENNER, citizen of ISRAEL(hereinafter referred to as "ASSIGNOR"), has invented and owns a certain invention entitled **ACOUSTICALLY POWERED IMPLANTABLE STIMULATING DEVICE** for which application for Letters Patent of the United States of America has been executed on July 31, 2003, under Serial No. **10/632,265**; and

WHEREAS, **REMON MEDICAL TECHNOLOGIES LTD**, a corporation organized and existing under and by virtue of the laws of the state of ISRAEL and having its principal place of business at Halamish Street, Industrial Park, Caesarea, Israel 38900 (hereinafter referred to as "ASSIGNEE"), is desirous of acquiring the exclusive right, title and interest in, to and under said invention and in, to and under any Patent or similar legal protection to be obtained therefor in the United States of America, its territorial possessions and in any and all countries foreign thereto.

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR hereby sells, assigns, transfers and sets over unto the said ASSIGNEE, its successors and assigns, the full and exclusive right, title and interest to said invention and to all Letters Patent or application or similar legal protection, not only in the United States and its territorial possessions, but in all countries foreign thereto to be obtained for said invention by said application, and to any continuation, division, renewal, substitute or reissue thereof or any legal equivalent thereof in the United States or a foreign country for the full term or terms for which the same may be granted, including all priority rights under the International Convention; and ASSIGNOR hereby authorizes and requests the United States Commissioner of Patents and Trademarks, and any officials of foreign countries whose duty it is to issue patents or any legal equivalent thereof, to issue said patents to ASSIGNEE, its successors and assigns, in accordance with this Assignment.

ASSIGNOR hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this Agreement;

ASSIGNOR further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said application, said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNOR and will testify as to the same in any interference or litigation related thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents in the United States or in any foreign country, which may be necessary or desirable to carry out the purposes thereof.

2 May 2024
Date

Avi Penner
Avi Penner